Safe Drinking Water Act and Perchlorate

Karen Wirth

U. S. Environmental Protection Agency

Office of Ground Water and Drinking Water

May 30, 2001

Contaminant Identification and Selection Under the SDWA

- **SDWA Enacted in 1974**

- **1986 Amendments to the SDWA:**
  - ⇨Regulate 83 contaminants by 1989;
  - ⇨Regulate 25 contaminants every 3 years.

- **Congress, EPA, Stakeholders had Concerns:**
  - ⇨Missed statutory deadlines;
  - ⇨Water systems encountered difficulty in timely compliance, financial capacity;

Contaminant Identification and Selection Under the SDWA

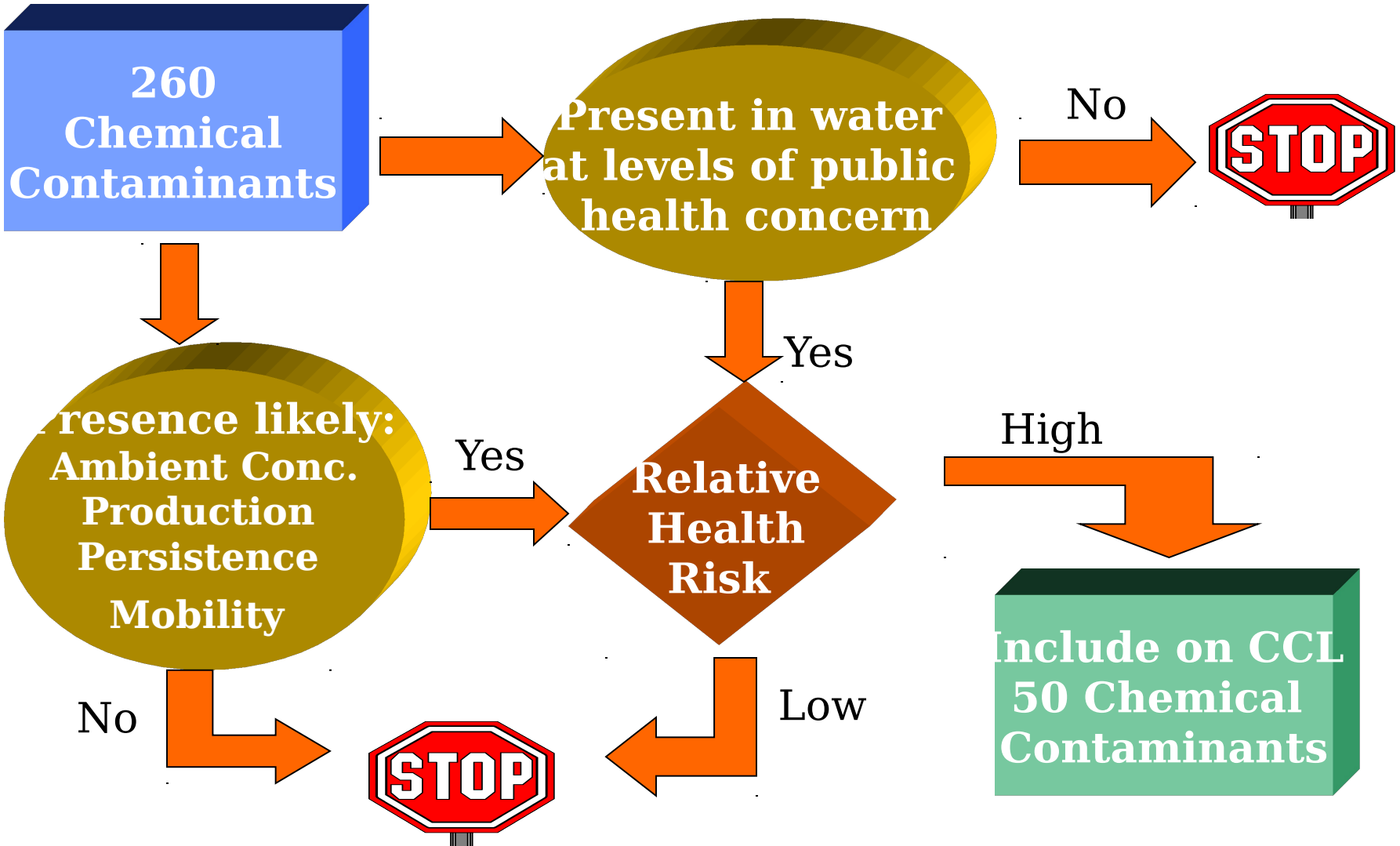
1996 Amendments to the SDWA

- **Narrow the universe of contaminants and identify those with greatest risks**
- **Publish a Contaminant Candidate List (CCL) of contaminants known or anticipated to occur in DW and not subject to NPDWRs**
  - ⇨ Within 18 months (2/98)
  - ⇨ Every 5 years after
- **Broad consultation with stakeholders, NDWAC, and SAB and public comment**

Contaminant Selection under SDWA

- Draft CCL Published on Oct. 6, 1997
  - ⇨Did not include perchlorate, but sought comment on whether to include include it on the final list
  - Public comment indicated overall support for including perchlorate to the final CCL
- Final CCL published on March 2, 1998
  - Contains 50 chemical and 10 microbiological contamiants

CCL Chemical Screening Criteria

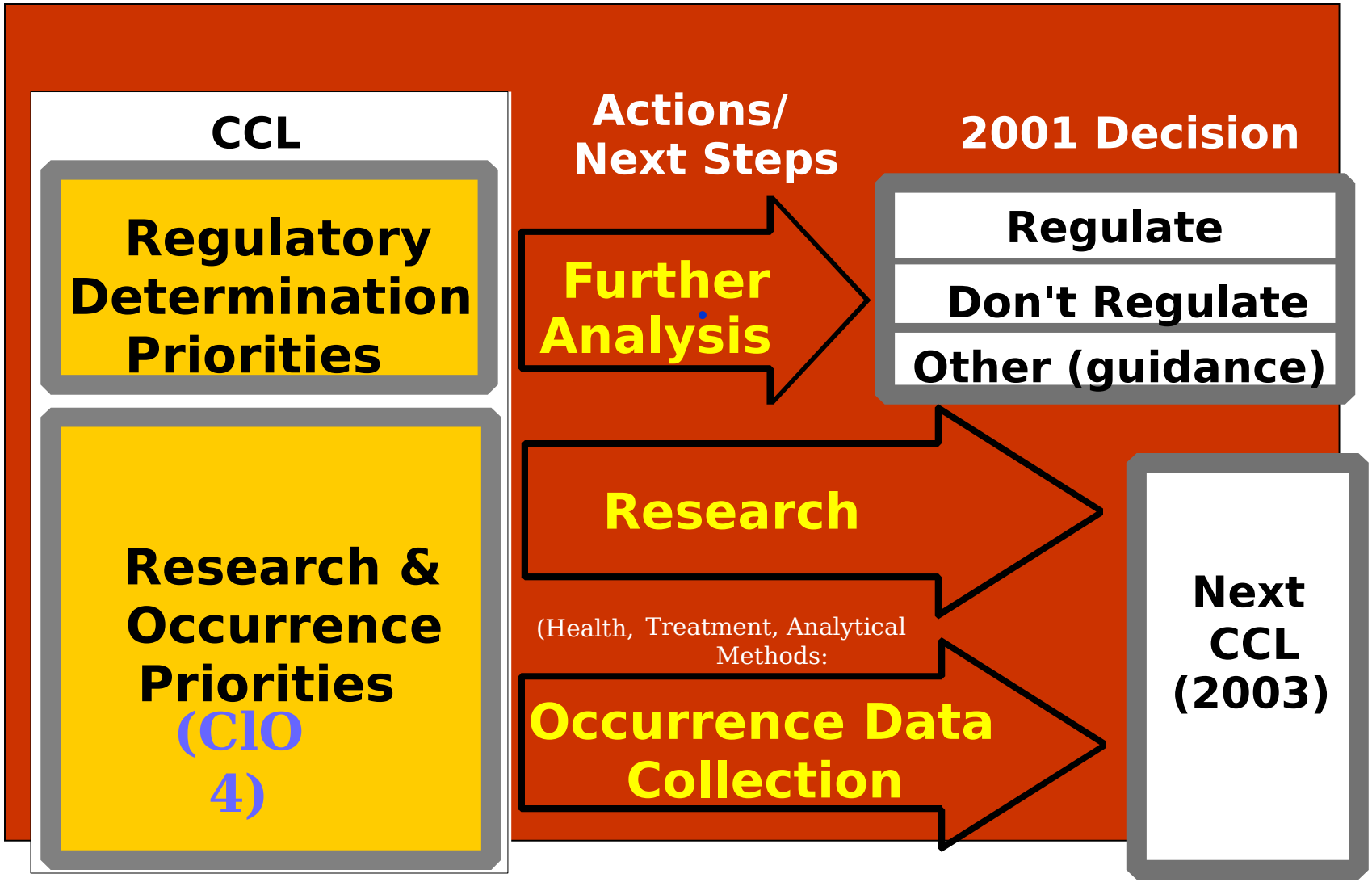


Contaminant Candidate List (CCL)

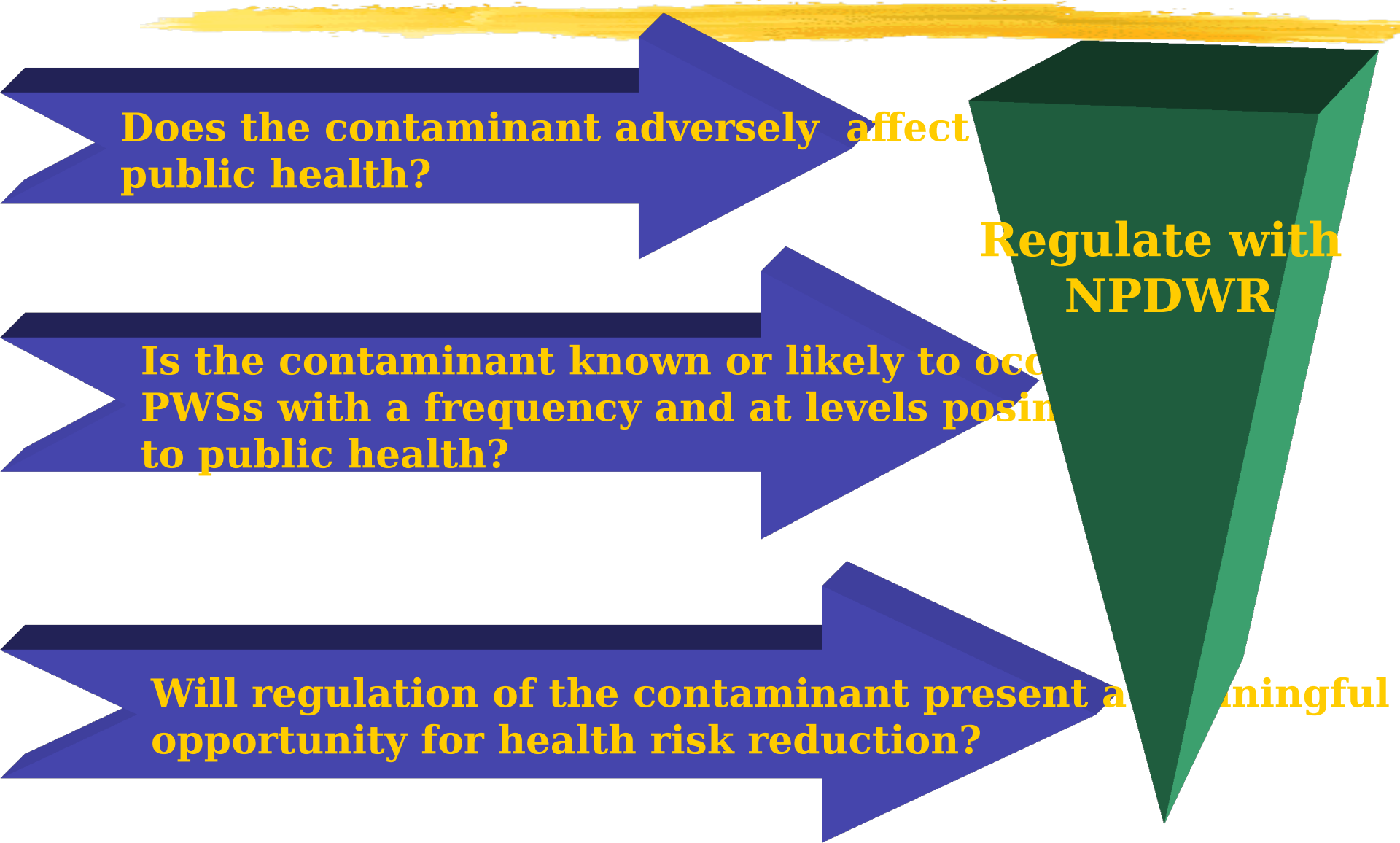
Functions of the CCL:

- **Make determinations for at least 5 contaminants of whether or not to regulate with a NPDWR by August 2001.**
- **Focus and prioritize research agenda for contaminants with data gaps.**
- **Source for selection of contaminants for unregulated contaminant monitoring regulation (UCMR) finalized in 1999.**

CCL and Next Steps



SDWA Regulatory Determination Criteria


Does the contaminant adversely affect public health?
Is the contaminant known or likely to occ PWSs with a frequency and at levels posin to public health?
Will regulation of the contaminant present a ningful opportunity for health risk reduction?
Regulate with NPDWR

Where do we get the data?

Occurrence	Health Effects	Analytical Methods	Treatment Technologies
UCMR *CA Monitoring, Other State Data* *AWWSC (400 wells, 16 states)* *Superfund, other waste sites* *AWWARF occurrence study*	*NCEA Risk Characterization* *Other Human, Animal and Epidemiological Studies*	*CA DHS* *Analytical Industry* *IPSC Collaborative*	*Superfund Pilots* *Air Force* *Academic, Industry Research* *EVWD, AWWARF earmarked appropriations*

Regulatory and Policy Agenda for Perchlorate

- **Regulation determination not likely for this round.**
- **Perchlorate is included in the final UCMR.**
- **Expect to issue Health Advisory as a guidance.**

Next Steps

- **Near Term (1-2 years):**
  - ⇨ Use RfD to develop a Health Advisory
- **Longer Term (2 to 4 years):**
  - ⇨ Data gaps filled perchlorate moves to the regulatory determination priority category of next CCL -- due in 2003.
  - ⇨ EPA will make regulatory determinations when data become available -- will not wait until 2006

EPA Health Advisory Program

- **SDWA General Authority:**
  - ⇨ "The Administrator may publish health advisories (HA), which are not regulations, or take other appropriate actions for contaminants not subject to any national primary drinking water regulation."

- **HAs represent concentrations of a contaminant in drinking water which adverse health effects are not expected to occur.**

EPA Health Advisory Program

- **Not federally enforceable.**
- **Technical guidance to assist State, Tribal, and local officials responsible for protection of public health.**
- **Subject to change as new information becomes available.**

Office of Water Perspectives on Perchlorate

- **Receives individual attention w/o specific statutory requirements in SDWA.**
- **Research and occurrence priority for the OGWDW.**
  - ➪ **Developing short and long term research plan**
- **EPA is very engaged in the IPSC**
  - **Ensure exchange of information to support decision making**

I P S C

Information

eb Site: www.epa.gov/ogwdw/perchlor.ht

Karen Wirth
Office of Ground Water and Drinking Water
202-260-0720
202-260-3762 (fax)
wirth.karen@epa.gov